

## CODIFICATION

R.S. § 4080 derived from act June 11, 1864, ch. 116, § 2, 13 Stat. 121.

Act Mar. 2, 1901, provided in part that all acts or parts of acts applicable to commissioners of the circuit court, except as to appointment and fees, shall be applicable to United States commissioners.

## CHANGE OF NAME

Act May 28, 1896, abolished the circuit court and required the district court to appoint persons to be known as United States commissioners.

“United States magistrate judge” and “magistrate judge” substituted in text for “United States magistrate” and “magistrate”, respectively, pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, “magistrate” substituted for “commissioner” pursuant to Pub. L. 90-578. See chapter 43 (§ 631 et seq.) of Title 28.

## CROSS REFERENCES

Arrest or imprisonment of officers and seamen for desertion not authorized, see section 258 of this title.

District courts or United States commissioners to issue remedial process to carry into effect decrees of any foreign consul, vice consul, or commercial agent, see section 258a of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 256, 258 of this title.

**§ 258. Commitment and discharge**

If, on such examination, it is made to appear that the person so arrested is a citizen of the United States, he shall be forthwith discharged from arrest, and shall be left to the ordinary course of law. But if this is not made to appear, and such court, judge, or magistrate judge finds, upon the papers referred to in section 257 of this title, a sufficient prima facie case that the matter concerns only the internal order and discipline of such foreign vessel, or whether in its nature civil or criminal, does not affect directly the execution of the laws of the United States, or the rights and duties of any citizen of the United States, he shall forthwith, by his warrant, commit such person to prison, where prisoners under sentence of a court of the United States may be lawfully committed, or, in his discretion, to the master or chief officer of such foreign vessel, to be subject to the lawful orders, control, and discipline of such master or chief officer, and to the jurisdiction of the consular or commercial authority of the nation to which such vessel belongs, to the exclusion of any authority or jurisdiction in the premises of the United States or any State thereof. No person shall be detained more than two months after his arrest, but at the end of that time shall be set at liberty and shall not again be arrested for the same cause. The expenses of the arrest and the detention of the person so arrested shall be paid by the consular officers making the application: *Provided*, That nothing in this section or section 257 of this title shall authorize the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment.

(R.S. § 4081; Mar. 4, 1915, ch. 153, §§ 16, 17, 38 Stat. 1184; Oct. 17, 1968, Pub. L. 90-578, title IV, § 402(b)(2), 82 Stat. 1118; Dec. 1, 1990, Pub. L. 101-650, title III, § 321, 104 Stat. 5117.)

## CODIFICATION

R.S. § 4081 derived from act June 11, 1864, ch. 116, § 2, 13 Stat. 121.

## CHANGE OF NAME

Words “magistrate judge” substituted in text for “magistrate” pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, “magistrate” substituted for “commissioner” pursuant to Pub. L. 90-578. See chapter 43 (§ 631 et seq.) of Title 28.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 256 of this title.

**§ 258a. Enforcement of awards of foreign consuls**

The district courts and the United States magistrate judges shall have power to carry into effect, according to the true intent and meaning thereof, the award or arbitration or decree of any consul, vice consul or commercial agent of any foreign nation, made or rendered by virtue of authority conferred on him as such consul, vice consul, or commercial agent, to sit as judge or arbitrator in such differences as may arise between the captains and crews of the vessels belonging to the nation whose interests are committed to his charge, application for the exercise of such power being first made to such court or magistrate judge, by petition of such consul, vice consul, or commercial agent. And said courts and magistrate judges may issue all proper remedial process, mesne and final, to carry into full effect such award, arbitration, or decree, and to enforce obedience thereto by imprisonment in the jail or other place of confinement in the district in which the United States may lawfully imprison any person arrested under the authority of the United States, until such award, arbitration or decree is complied with, or the parties are otherwise discharged therefrom, by the consent in writing of such consul, vice consul, or commercial agent, or his successor in office, or by the authority of the foreign government appointing such consul, vice consul, or commercial agent. The expenses of the said imprisonment and maintenance of the prisoners, and the cost of the proceedings, shall be borne by such foreign government, or by its consul, vice consul, or commercial agent requiring such imprisonment. The marshals of the United States shall serve all such process, and do all other acts necessary and proper to carry into effect the premises, under the authority of the said courts and magistrate judges.

(Mar. 3, 1911, ch. 231, § 271, 36 Stat. 1163; Oct. 17, 1968, Pub. L. 90-578, title IV, § 402(b)(2), 82 Stat. 1118; Dec. 1, 1990, Pub. L. 101-650, title III, § 321, 104 Stat. 5117.)

## CODIFICATION

Section was formerly classified to section 393 of Title 28 prior to the general revision and enactment of Title 28, Judiciary and Judicial Procedure, by act June 25, 1948, ch. 646, § 1, 62 Stat. 869.

## CHANGE OF NAME

“United States magistrate judges”, “magistrate judge”, and “magistrate judges” substituted in text for

“United States magistrates”, “magistrate”, and “magistrates”, respectively, pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, “magistrate” substituted for “commissioner” pursuant to Pub. L. 90-578. See chapter 43 (§631 et seq.) of Title 28.

**§ 259. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641**

Section, act May 31, 1939, ch. 161, 53 Stat. 795, authorized Secretary of Army to sell supplies to aircraft operated by any foreign military or air attaché accredited to United States. See sections 4626, 4629, 9626, and 9629 of Title 10, Armed Forces.

**CHAPTER 7—INTERNATIONAL BUREAUS, CONGRESSES, ETC.**

Sec.			
261.	Policy as to settlement of disputes and disarmament.	262g-1.	Targeting assistance to specific populations. (a) Congressional findings. (b) Assistance to poorest populations.
262.	President's participation in international congresses restricted.	262g-2.	Establishment of guidelines for international financial institutions. (a) Consultation with representatives of member countries. (b) Congressional findings regarding implementation of objectives.
262a.	Contributions to international organizations; consent of State Department; reports to Congress; limitations as to certain organizations.	262g-3.	International negotiations on future replenishments of international financial institutions; consultation with appropriate Members of Congress.
262b.	Commitments for United States contributions to international organizations; limitations; consultation with Congressional committees.	262h.	Opposition by United States Executive Directors of international financial institutions to assistance for production or extraction of export commodities or minerals in surplus on world markets.
262c.	Commitments for United States contributions to international financial institutions fostering economic development in less developed countries; continuation of participation. (a) Congressional findings. (b) Funding commitments to international financial institutions; availability of funds subject to appropriations.	262i.	Repealed.
262d.	Human rights and United States assistance policies with international financial institutions. (a) Policy goals. (b) Policy considerations for Executive Directors of institutions in implementation of duties. (c) Reporting requirements. (d) Requirements of United States assistance through institutions for projects in recipient countries. (e) Criteria for determination of gross violations of internationally recognized human rights standards. (f) Opposition by United States Executive Directors of institutions to financial or technical assistance to violating countries. (g) Consultative and additional reporting requirements.	262j.	Use of renewable resources for energy production. (a) Promotion, etc., by United States in connection with international financial institutions. (b) “Renewable resource” defined.
262d-1.	Congressional statement of policy of human rights and United States assistance policies with international institutions.	262k.	Financial assistance to international financial institutions; considerations and criteria. (a) Congressional declaration of intent. (b) Effect of country adjustment programs; minimization of projected adverse impacts; avoidance of government subsidization. (c) Project proposals relating to mining, smelting, refining, and fabricating of minerals and metal products. (d) International financial institutions.
262e.	Comparability of salaries and benefits of employees of international financial institutions with employees of American private business and governmental service.	262l.	Omitted.
262f.	Promotion of development and utilization of light capital technologies and United States assistance policies with international financial institutions.	262m.	Congressional findings and policies for multilateral development banks respecting environment, public health, natural resources, and indigenous peoples.
262g.	Human nutrition in developing countries and United States assistance policies with international financial institutions; declaration of policy.	262m-1.	Environmental performance of banks; mechanisms for improvement.
		262m-2.	Environmental impact of assistance proposals. (a) Analysis by agencies, United States embassies and overseas missions of Agency for International Development; factors considered; affirmative investigation of adverse impacts; availability of information to public. (b) Evaluation by major shareholder governments prior to bank action on assistance proposals. (c) Identification of proposals likely to have adverse impact; transmittal to Congress. (d) Reports to Executive Directors; elimination or mitigation of adverse impacts.
		262m-3.	Cooperative information exchange system.
		262m-4.	Environmental educational and training programs for mid-level bank managers and officials of borrowing countries.
		262m-5.	Environmental impact statements; factors considered; promotion of activities by United States Executive Directors.
		262m-6.	Repealed.
		262m-7.	Assessment of environmental impact of proposed multilateral development bank actions. (a) Assessment required before favorable vote on action. (b) Access to assessments in all member countries. (c) Consideration of assessment. (d) Development of procedures for systematic environmental assessment.